REMARKS

This is in response to the final Office Action mailed May 2, 2007. In the Office Action, the Examiner notes that claims 8-21 are pending and rejected.

In view of the following discussion, Applicants submit that none of the claims now pending in the application are indefinite or obvious under the provisions of 35 U.S.C. §103. Thus, Applicants believe that all of these claims are now in allowable form.

It is to be understood that Applicants do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant response including amendments.

REJECTION OF CLAIMS 8-21 UNDER 35 U.S.C. §103

The Examiner has rejected claims 8-21 under 35 U.S.C. §103(a) as being unpatentable over Day et al. (U.S. Pat. 5,996,015, hereinafter "Day") in view of DeMoney (U.S. Patent 6,065,050, hereinafter "DeMoney") and Katinsky et al. (U.S. Pat. 6,452,609, hereinafter "Katinsky"). Applicants respectfully disagree.

Applicants respectfully submit that the combination of Day, DeMoney and Katinsky, alone or in any permissible combination, fail to teach or to suggest the limitations of Applicants independent claims as a whole. Applicants' independent claim 8 positively recites:

> 8. In an information distribution system including provider equipment and subscriber equipment, said provider equipment communicating to said subscriber equipment information streams including content requested by said subscriber equipment, an apparatus comprising:
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> a session manager, for interacting with said subscriber equipment and maintaining a plurality of playlists, wherein each playlist is associated with a respective subscriber, said playlist defining a plurality of content streams to be provided to said subscriber equipment, said playlist further identifying reverse and fast-forward streams associated with each one of said plurality of content streams, each content stream comprising a plurality of splicing entry and exit points dispersed therein to enable transitioning between said plurality of content streams;

a server, for storing content streams; and

a server controller for retrieving from said server, content streams defined by said playlist, said content streams being sequentially provided to said subscriber equipment; and

said session manager modifying said playlist in response to playlist modification commands received from said subscriber equipment, wherein a next stream in said playlist is spliced at an entry point associated with an exit point of a current stream being sent to said subscriber equipment. (Emphasis added.)

Applicants' independent claim 16 recites similar limitations. In an exemplary embodiment, Applicants' invention ensures smooth transitions between content streams, all content assets, such as video, audio and other information subject to inclusion in the playlist. (See Applicants' specification, p. 10, ll. 16-31.) To accomplish this, all content is constructed in a manner facilitating inter-asset transition using, for example, splicing standards adopted by the Society of Moving Pictures Television Engineers (SMPTE). (See *Id.*)

Applicants respectfully submit that the combination of Day, DeMoney and Katinsky, alone or in any permissible combination, fails to teach or suggest at least the limitation of each content stream comprising a plurality of splicing entry and exit points dispersed therein to enable transitioning between said plurality of content streams.

Day only teaches concatenating entire video segments one after another to provide seamless video to a viewer. (See Day, col. 6, ll. 26-64.) Day fails to teach or suggest at least the limitation of each content stream comprising a plurality of splicing entry and exit points dispersed therein to enable transitioning between said plurality of content streams, as positively claimed by Applicants' invention.

Moreover, DeMoney fails to bridge the substantial gap left by Day. DeMoney only teaches creating an index look up table for the normal play multimedia stream associated with normal play, fast forward and fast reverse streams of the normal play multimedia stream. (See DeMoney, col. 9, ll. 13-29.) Applicants respectfully submit that indexing is not the same as the splicing taught by Applicants' invention. For example, splicing does not require the use of an index table, as taught by DeMoney. Consequently, Applicants' invention does not require the additional processing required to compare index points of a multimedia stream and an index look up table, as taught by

DeMoney.

The Applicants note the Examiner's argument that DeMoney teaches the use of "random-access" points. However, DeMoney teaches that an index table is still required in combination with the "random-access points." (See DeMoney, col. 9, l. 13 – col. 10, l. 18.) Even the Examiner seems to acknowledge this in the example illustrated by the Examiner in the Final Office Action. (See Final Office Action, p. 2 – p. 3 "Response to Arguments".)

In addition, as discussed above, the use of splicing facilitates inter-asset transition. In contrast, DeMoney works with a single video stream from the same facility. Alternatively, if multiple video streams are provided, then each video stream would need to be indexed. This illustrates another difference between the splicing taught by the Applicants' invention and the indexing taught by DeMoney. Therefore, DeMoney also fails to teach or suggest at least the limitation of each content stream comprising a plurality of splicing entry and exit points dispersed therein to enable transitioning between said plurality of content streams, as positively claimed by Applicants' independent claims.

Moreover, Applicants respectfully submit that Day and DeMoney cannot be meaningfully combined. Day teaches a method that concatenates entire video segments. In stark contrast, DeMoney teaches indexing within a multimedia stream to create index look up tables. Applicants respectfully submit that Day and DeMoney teach away from one another and cannot be meaningfully combined. There is simply no suggestion within Day to modify the teachings of Day with the multimedia stream indexing taught by DeMoney.

The Examiner responds by asserting that Day is silent to how providing VCR functionalities is accomplished. The Applicants respectfully submit that this is in fact taught by Day. Day teaches the controller of the system coordinates the various functions of the system. (See Day, col. 3, ll. 47-65.) The control server controls the number of multi-media or audio/video data streams. (See *Id.*) Specifically, the control server provides a plurality of multimedia file data stream control functions including the functions of "play", "stop", "pause", "rewind", "forward" and "seek". (See *Id.*) As

discussed in Day, these plurality of multi-media file data streams (including the separate "play", "rewind", "forward" and "seek" video streams) are simply concatenated one after another to provide seamless video to a viewer. (See Day, col. 6, ll. 26-64.) Therefore, Day and DeMoney teach two different methods of combining video streams that cannot be meaningfully combined.

In addition, similar to the Applicants' invention, Day recognizes that video files may not all come from the same source. (See Day, col. 2, ll. 6-9.) However, unlike the Applicants' invention, Day provides a method of simply concatenating entire video segments one after another to provide seamless video to a viewer. (See Day, col. 6, ll. 26-64.). In contrast, DeMoney does not seem to recognize this problem and presumably only teaches how to combine video streams from the same source. Consequently, the indexing used by DeMoney to match the "random access points" would not be practical if required for every video stream received from different sources. Therefore, Day and DeMoney cannot be meaningfully combined.

Finally, Katinsky also fails to bridge the substantial gap left by Day and DeMoney. Katinsky also fails to teach or suggest at least the limitation of each content stream comprising a plurality of splicing entry and exit points dispersed therein to enable transitioning between said plurality of content streams. Katinsky only teaches a user friendly media player at the user terminal using "pageless" internet site where media streams are delivered to the user without the user having to navigate to different pages. (See Katinsky, Abstract.) Thus, Day, DeMoney and Katinsky, singly or in combination, do not disclose at least each content stream comprising a plurality of splicing entry and exit points dispersed therein to enable transitioning between said plurality of content streams.

For at least the above reasons, Applicants submit that independent claims 8 and 16 are not obvious and fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Furthermore, claims 9-15 and 17-21 depend, either directly or indirectly, from independent claims 8 and 16 and recite additional features thereof. As such, and at least for the same reasons as discussed above, Applicants submit that these dependent claims also fully satisfy the requirements of 35 U.S.C. §103 and are

patentable thereunder. Therefore, Applicants respectfully request that the rejections be withdrawn.

CONCLUSION

Thus, Applicants submit that claims 8-21 are in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall or Jimmy Kim at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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